CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

ENDC/253
3 July 1969
Original: ENGLISH

UNITED STATES OF AMERICA

Message from Richard M. Nixon, President of the United States of America, to the Eighteen-Nation Committee on Disarmament

"I have followed closely the activities of the spring session of the Disarmament Committee, and Ambassador Smith has reported to me on the prospects for progress in the near future.

"As the conference resumes its work after a recess of six weeks, I would like to address the following thoughts to the members of the committee:

"First, the ground has been prepared for concrete arms control negotiations. In addition to the valuable suggestions by many members of the committee, draft agreements have been submitted by the United States and by the Soviet Union to prevent an arms race on the seabeds. Although differences exist, it should not prove beyond our ability to find common ground so that a realistic agreement may be achieved that enhances the security of all countries.

"The framing of an international agreement to apply to more than 100 million square miles of the earth's surface lying under the oceans is a high challenge to our vision and statesmanship. I ask the participants in this committee to join with us in elaborating a measure that is both practical and significant. With goodwill on all sides and a fair measure of hard work, we may achieve agreement in the course of this session. With each passing day the seabed becomes more important for the security and well-being of all nations. Our goal should be to present a sound seabed arms control measure to the General Assembly of the United Nations.

"Second, the Secretary-General of the United Nations is issuing a study on the effects of chemical and biological warfare. Experts from many countries have contributed to this important work. I am pleased that an expert from the United States, Dr. Ivan Bennett, has also played a role in the study. We welcome the Secretary General's study, since it will draw the attention of all mankind to an area of common concern.

"The delegation of the United States is prepared to examine carefully, together with other delegations, any approaches that offer the prospect of reliable arms control in this field.

GE.69-15222

69-16272

"Third, in my letter to Ambassador Smith on March 18 at the opening of the first session of this committee, I reaffirmed United States support for the conclusion of a comprehensive test ban adequately verified; I stated my conviction that efforts must be made toward greater understanding of the verification issue. I am pleased that, during your first session, serious exploration of verification problems took place. The United States delegation will be prepared to continue to participate in efforts towards greater understanding of this key issue. It is only by means of careful study, with due regard for all of the relevant technical and political considerations, that progress can be made.

"Fourth, I recently announced that the United States hopes to be able to commence talks with the Soviet Union on strategic arms limitations around July 31 or shortly thereafter. When these talks begin, which I hope and trust will be soon, they will of necessity be bilateral negotiations between the United States and the Soviet Union. The United States Government is, however, deeply conscious of its responsibilities to its allies and to the community of nations.

"While these talks progress, it is particularly important that multilateral negotiations continue in this committee in an atmosphere of determination and promise. Arms control is without dispute a subject of direct concern to all nations, large and small. The wisdom, the advice, and the informed concern of many nations are needed in a continuing body such as this to ensure that no opportunities are missed to achieve genuine progress.

"This committee clearly is the world's preeminent multilateral disarmament forum. Its record of accomplishment, which needs no recital here, is greater than that of any other disarmament committee in history. I trust that your committee will continue its efforts with all of the combined skill and dedication which its members have demonstrated in the past.

"The negotiation of sound arms control and disarmament, like all work contributing to peace, must be an integrated and comprehensive effort. Progress in the tasks of your committee will be a contribution to a world of peaceful international co-operation, a world where fear and conflict are supplanted by the honest give-and-take of negotiation aimed at meeting the legitimate aspirations of all.

"The United States will work in every way to bring us closer to such a world."

OSITORY

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

ENDC/253*
23 July 1969
Original: ENGLISH

UNITED STATES OF AMERICA

Message from Richard M. Nixon, President of the United States of America, to the Eighteen-Nation Committee on Disarmament

"I have followed closely the activities of the spring session of the Disarmament Committee, and Ambassador Smith has reported to me on the prospects for progress in the near future.

"As the conference resumes its work after a recess of six weeks, I would like to address the following thoughts to the members of the committee:

"First, the ground has been prepared for concrete arms control negotiations. In addition to the valuable suggestions by many members of the committee, draft agreements have been submitted by the United States and by the Soviet Union to prevent an arms race on the seabeds. Although differences exist, it should not prove beyond our ability to find common ground so that a realistic agreement may be achieved that enhances the security of all countries.

"The framing of an international agreement to apply to more than 100 million square miles of the earth's surface lying under the oceans is a high challenge to our vision and statesmanship. I ask the participants in this committee to join with us in elaborating a measure that is both practical and significant. With goodwill on all sides and a fair measure of hard work, we may achieve agreement in the course of this session. With each passing day our seabed becomes more important for the security and well-being of all nations. Our goal should be to present a sound seabed arms control measure to the 24th General Assembly of the United Nations.

"Second, the Secretary-General of the United Nations has just issued his study on the effects of chemical and biological warfare. Experts from many countries have contributed to this important work. I am pleased that an expert from the United States, Dr. Ivan Bennett, has also played a role in the study. We welcome the Secretary-General's study, since it will draw the attention of all mankind to an area of common concern. The specter of chemical and biological warfare arouses horror and revulsion throughout the world.

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* For technical reasons this document is reissued and replaces ENDC/253 issued on 3 July 1969

GE.69-16297

69-16959

"The delegation of the United States is prepared to examine carefully, together with other delegations, any approaches that offer the prospect of reliable arms control in this field.

"Third, in my letter to Ambassador Smith on March 18 at the opening of the first session of this committee, I reaffirmed United States support for the conclusion of a comprehensive test ban adequately verified; I stated my conviction that efforts must be made toward greater understanding of the verification issue. I am pleased that, during your first session, serious exploration of verification problems took place. The United States delegation will be prepared to continue to participate in efforts towards greater understanding of this key issue. It is only by means of careful study, with due regard for all of the relevant technical and political considerations, that progress can be made.

"Fourth, I recently announced that the United States hopes to be able to commence talks with the Soviet Union on strategic arms limitations around July 31 or shortly thereafter. When these talks begin, which I hope and trust will be soon, they will of necessity be bilateral negotiations between the United States and the Soviet Union. The United States Government is, however, deeply conscious of its responsibilities to its allies and to the community of nations.

"While these talks progress, it is particularly important that multilateral negotiations continue in this committee in an atmosphere of determination and promise. Arms control is without dispute a subject of direct concern to all nations, large and small. The wisdom, the advice, and the informed concern of many nations are needed in a continuing body such as this to ensure that no opportunities are missed to achieve genuine progress.

"This committee clearly is the world's preeminent multilateral disarmament forum. Its record of accomplishment, which needs no recital here, is greater than that of any other disarmament committee in history. I trust that your committee will continue its efforts with all of the combined skill and dedication which its members have demonstrated in the past.

"The negotiation of sound arms control and disarmament, like all work contributing to peace, must be an integrated and comprehensive effort. Progress in the tasks of your committee will be a contribution to a world of peaceful international co-operation, a world where fear and conflict are supplanted by the honest give-and-take of negotiation aimed at meeting the legitimate aspirations of all.

"The United States will work in every way to bring us closer to such a world."

DEPOSITORY

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

ENDC/254
7 July 1969
Original: ENGLISH

Letter dated 1 July 1969 from the Secretary-General of the United Nations to the Co-Chairmen of the Conference of the Eighteen-Nation Committee on Disarmament transmitting the Report on Chemical and Bacteriological (Biological) Weapons and the Effects of their Possible Use

I have the honour to transmit herewith the report* on chemical and bacteriological (biological) weapons and the effects of their possible use which, by General Assembly resolution 2454 A (XXIII), I was requested to prepare with the assistance of qualified consultant experts.

In accordance with paragraph 4 of the resolution, I am at the same time transmitting this report to the General Assembly and the Security Council, as well as to the Governments of Member States of the United Nations in time to permit its consideration at the twenty-fourth session of the General Assembly.

(Signed) U Thant
Secretary-General

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* The report has been distributed to all Members of the United Nations as Document A/7575 and S/9292.

GE.69-15144

59-16230

EPOSITORY

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEL ON DISARMAMENT

ENDC/255
10 July 1969
Original: ENGLISH

UNITED KINGDOM

Biological Warfare: Draft Convention and accompanying draft Security Council Resolution

DRAFT CONVENTION

The States concluding this Convention, hereinafter referred to as the "Parties to the Convention",

Recalling that many States have become Parties to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,

Recognizing the contribution that the said Protocol has already made, and continues to make, to mitigating the horrors of war,

Recalling further United Nations General Assembly Resolutions 2162 B (XXI) of 5 December 1966 and 2454 A (XXIII) of 20 December 1968, which called for strict observance by all States of the principles and objectives of the Geneva Protocol and invited all States to accede to it,

Believing that chemical and biological discoveries should be used only for the betterment of human life,

Recognizing nevertheless that the development of scientific knowledge throughout the world will increase the risk of eventual use of biological methods of warfare,

Convinced that such use would be repugnant to the conscience of mankind and that no effort should be spared to minimize this risk,

Desiring therefore to reinforce the Geneva Protocol by the conclusion of a Convention making special provision in this field,

Declaring their belief that, in particular, provision should be made for the prohibition of recourse to biological methods of warfare in any circumstances,

Have agreed as follows:

GE.69-15720

69-16610

ARTICLE I

Each of the Parties to the Convention undertakes never in any circumstances, by making use for hostile purposes of microbial or other biological agents causing death or disease by infection or infestation in man, other animals, or crops, to engage in biological methods of warfare.

ARTICLE II

Each of the Parties to the Convention undertakes

(a) not to produce or otherwise acquire, or assist in or permit the production or acquisition of

(i) microbial or other biological agents of types and in quantities that have no independent peaceful justification for prophylactic or other purposes;

(ii) ancillary equipment or vectors the purpose of which is to facilitate the use of such agents for hostile purposes;

(b) not to conduct, assist or permit research aimed at production of the kind prohibited in sub-paragraph (a) of this Article; and

(c) to destroy, or divert to peaceful purposes, within three months after the Convention comes into force for that Party, any stocks in its possession of such agents or ancillary equipment or vectors as have been produced or otherwise acquired for hostile purposes.

ARTICLE III

1. Any Party to the Convention which believes that biological methods of warfare have been used against it may lodge a complaint with the Secretary-General of the United Nations, submitting all evidence at its disposal in support of the complaint, and request that the complaint be investigated and that a report on the result of the investigation be submitted to the Security Council.

2. Any Party to the Convention which believes that another Party has acted in breach of its undertakings under Articles I and II of the Convention, but which is not entitled to lodge a complaint under paragraph 1 of this Article, may similarly lodge a complaint with the Security Council and request that the complaint be investigated.

3. Each of the Parties to the Convention undertakes to co-operate fully with the Secretary-General and his authorized representatives in any investigation he may carry out, as a result of a complaint, in accordance with Security Council Resolution No. ..... .

ARTICLE IV

Each of the Parties to the Convention affirms its intention to provide or support appropriate assistance, in accordance with the United Nations Charter, to any other Party to the Convention, if the Security Council concludes that biological methods of warfare have been used against that Party.

ARTICLE V

Each of the Parties to the Convention undertakes to pursue negotiations in good faith on effective measures to strengthen the existing constraints on the use of chemical methods of warfare.

ARTICLE VI

Nothing contained in the present Convention shall be construed as in any way limiting or derogating from obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June, 1925.

ARTICLE VII

[Provisions for amendments]

ARTICLE VIII

[Provisions for Signature, Ratification, Entry into Force, etc.]

ARTICLE IX

1. This Convention shall be of unlimited duration.

2. Each Party shall in exercising its national sovereignty have the right to withdraw from the Convention, if it decides that extraordinary events, related to the subject matter of this Convention, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Convention and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

ARTICLE X

[Provisions on languages of texts, etc.]

DRAFT SECURITY COUNCIL RESOLUTION

The Security Council,

Welcoming the desire of a large number of States to subscribe to the Convention for the Prohibition of Biological Methods of Warfare, and thereby undertake never to engage in such methods of warfare; to prohibit the production and research aimed at the production of biological weapons; and to destroy, or divert to peaceful purposes, such weapons as may already be in their possession,

Noting that under Article III of the Convention, Parties will have the right to lodge complaints and to request that the complaints be investigated,

Recognizing the need, if confidence in the Convention is to be established, for appropriate arrangements to be made in advance for the investigation of any such complaints, and the particular need for urgency in the investigation of complaints of the use of biological methods of warfare,

Noting further the declared intention of Parties to the Convention to provide or support appropriate assistance, in accordance with the Charter, to any other Party to the Convention, if the Security Council concludes that biological methods of warfare have been used against that Party,

1. Requests the Secretary-General
   (a) to take such measures as will enable him
      (i) to investigate without delay any complaints lodged with him in accordance with Article III.1 of the Convention;
      (ii) if so requested by the Security Council, to investigate any complaint made in accordance with Article III.2 of the Convention; and
   (b) to report to the Security Council on the result of any such investigation.
2. Declares its readiness to give urgent consideration
   (a) to any complaint that may be lodged with it under Article III.2 of the Convention; and
   (b) to any report that the Secretary-General may submit in accordance with operative paragraph 1 of this Resolution on the result of his investigation of a complaint;
   and, if it concludes that the complaint is well-founded, to consider urgently what action it should take or recommend in accordance with the Charter.
3. Calls upon Member States and upon Specialized Agencies of the United Nations to co-operate as appropriate with the Secretary-General for the fulfilment of the purposes of this Resolution.

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

ENDC/255/Rev.1
26 August 1969

Original: ENGLISH

UNITED KINGDOM

Revised draft Convention for the Prohibition of Biological Methods of Warfare and accompanying draft Security Council Resolution

REVISED DRAFT CONVENTION

THE STATES CONCLUDING THIS CONVENTION, hereinafter referred to as the "Parties to the Convention".

RECALLING that many States have become Parties to The Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,

RECOGNISING the contribution that the said Protocol has already made, and continues to make, to mitigating the horrors of war,

RECALLING FURTHER United Nations General Assembly Resolutions 2162B (XXI) of 5 December, 1966, and 2454 A (XXIII) of 20 December, 1968, which called for strict observance by all States of the principles and objectives of the Geneva Protocol and invited all States to accede to it,

BELIEVING that chemical and biological discoveries should be used only for the betterment of human life,

RECOGNISING nevertheless that the development of scientific knowledge throughout the world will increase the risk of eventual use of biological methods of warfare,

CONVINCE that such use would be repugnant to the conscience of mankind and that no effort should be spared to minimise this risk,

DESIRING therefore to reinforce the Geneva Protocol by the conclusion of a Convention making special provision in this field,

DECLARING their belief that, in particular, provision should be made for the prohibition of recourse to biological methods of warfare in any circumstances.

HAVE AGREED as follows:

GE.69-19319
69-19531

ARTICLE I

Each of the Parties to the Convention undertakes, insofar as it may not already be committed in that respect under Treaties or other instruments in force prohibiting the use of chemical and biological methods of warfare, never in any circumstances, by making use for hostile purposes of microbial or other biological agents causing death, damage or disease by infection or infestation to man, other animals, or crops, to engage in biological methods of warfare.

ARTICLE II

Each of the Parties to the Convention undertakes:

(a) not to produce or otherwise acquire, or assist in or permit the production or acquisition of:

(i) microbial or other biological agents of types and in quantities that have no independent justification for prophylactic or other peaceful purposes;

(ii) ancillary equipment or vectors the purpose of which is to facilitate the use of such agents for hostile purposes;

(b) not to conduct, assist or permit research aimed at production of the kind prohibited in sub-paragraph (a) of this Article; and

(c) to destroy, or divert to peaceful purposes, within three months after the Convention comes into force for that Party, any stocks in its possession of such agents or ancillary equipment or vectors as have been produced or otherwise acquired for hostile purposes.

ARTICLE III

1. Any Party to the Convention which believes that biological methods of warfare have been used against it may lodge a complaint with the Secretary-General of the United Nations, submitting all evidence at its disposal in support of the complaint, and request that the complaint be investigated and that a report on the result of the investigation be submitted to the Security Council.

2. Any Party to the Convention which believes that another Party has acted in breach of its undertaking under Articles I and II of the Convention, but which is not entitled to lodge a complaint under Paragraph I of this Article, may lodge a complaint with the Security Council, submitting all evidence at its disposal, and request that the complaint be investigated.

3. Each of the Parties to the Convention undertakes to co-operate fully with the Secretary-General and his authorised representatives in any investigation he may carry out, as a result of a complaint, in accordance with Security Council Resolution No.....

ARTICLE IV

Each of the Parties to the Convention affirms its intention to provide or support appropriate assistance, in accordance with the United Nations Charter, to any Party to the Convention, if the Security Council concludes that biological methods of warfare have been used against that Party.

ARTICLE V

Each of the Parties to the Convention undertakes to pursue negotiations in good faith on effective measures to strengthen the existing constraints on chemical methods of warfare.

ARTICLE VI

Nothing contained in the present Convention shall be construed as in any way limiting or derogating from obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June, 1925.

ARTICLE VII

[Provisions for amendments.]

ARTICLE VIII

[Provisions for Signature, Ratification, Entry into Force, etc.]

ARTICLE IX

1. This Convention shall be of unlimited duration.

2. Each Party shall in exercising its national sovereignty have the right to withdraw from the Convention, if it decides that extraordinary events, related to the subject matter of this Convention, have jeopardised the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Convention and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardised its supreme interests.

ARTICLE X

[Provisions on languages of texts, etc.]

REVISED DRAFT SECURITY COUNCIL RESOLUTION

THE SECURITY COUNCIL,

WELCOMING the desire of a large number of States to subscribe to the Convention for the Prohibition of Biological Methods of Warfare, and thereby undertake never to engage in such methods of warfare; to prohibit the production and research aimed at the production of biological weapons; and to destroy, or divert to peaceful purposes, such weapons as may already be in their possession,

NOTING that under Article III of the Convention, Parties will have the right to lodge complaints and to request that the complaints be investigated,

RECOGNISING the need, if confidence in the Convention is to be established, for appropriate arrangements to be made in advance for the investigation of any such complaints, and the particular need for urgency in the investigation of complaints of the use of biological methods of warfare,

NOTING further the declared intention of Parties to the Convention to provide or support appropriate assistance, in accordance with the Charter, to any other Party to the Convention, if the Security Council concludes that biological methods of warfare have been used against that Party,

REAFFIRMING in particular the inherent right, recognised under Article 51 of the Charter, of individual and collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security,

1. Requests the Secretary-General
   (a) to take such measures as will enable him
      (i) to investigate without delay any complaints lodged with him in accordance with Article III.1 of the Convention;
      (ii) if so requested by the Security Council, to investigate any complaint made in accordance with Article III.2 of the Convention; and
   (b) to report to the Security Council on the result of any such investigation.
2. Declares its readiness to give urgent consideration
   (a) to any complaint that may be lodged with it under Article III.2 of the Convention; and

(b) to any report that the Secretary-General may submit in accordance with operative paragraph 1 of this Resolution on the result of his investigation of a complaint; and if it concludes that the complaint is well-founded, to consider urgently what action it should take or recommend in accordance with the Charter.

3. Calls upon Member States and upon Specialised Agencies of the United Nations to co-operate as appropriate with the Secretary-General for the fulfilment of the purposes of this Resolution.

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

ENDC/256
22 July 1969
Original: ENGLISH

POLAND

Working Paper concerning the Report of the Secretary-General of 1 July 1969 on Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use (A/7575)

I. The problem of the prohibition and total elimination of weapons of mass destruction is one of the urgent tasks facing the international community.

In the field of nuclear weapons certain steps have already been taken, to mention the 1963 Moscow Partial Test Ban Treaty, the 1967 Convention concerning peaceful utilization of the outer space and the 1968 Treaty on the non-proliferation of nuclear weapons.

These steps have significantly contributed to the slowing down of the nuclear arms race and the creation of conditions favouring other measures that may lead to further reduction, and ultimately total elimination of nuclear weapons.

II. Weapons of mass destruction are a class of weapons that includes also agents of chemical and bacteriological (biological) warfare. The danger inherent in these weapons has been particularly strongly exposed in the report of the Secretary-General on chemical and bacteriological (biological) weapons and the effects of their possible use (A/7575). The danger derives among others from the fact that these weapons can be manufactured relatively cheaper and easier than is the case with nuclear weapons. Thus, any country not necessarily technologically advanced or industrially developed could manufacture or acquire a capability in this type of warfare.

Chemical and bacteriological (biological) weapons are weapons of mass destruction that pose a threat to the whole of mankind. Their use has been declared a crime against humanity and a violation of the generally recognized principles of international law as well as the UN Charter.

One of the principal goals of the international community in the field of disarmament should therefore be an effort aimed at ensuring that the prohibition of use of chemical and bacteriological (biological) weapons is strictly and universally

observed as well as efforts designed to accomplish their total elimination, particularly through a prohibition of development, prohibition of manufacture and a prohibition of their stockpiling.

III. General Assembly resolution 2454 A(XXIII) of 20 December 1968 requested the Secretary-General to prepare, with the assistance of qualified consultant-experts, a report on chemical and bacteriological (biological) weapons and the effects of their possible use. The resulting report (A/7575), issued on 1 July 1969, is of great significance for the strengthening of effectiveness of the Geneva Protocol of 1925 and offers a considerable encouragement to further search for ways and means of total elimination of these weapons.

Prepared by highly competent consultant-experts, the report emphasizes the significance of the Geneva Protocol which, as they indicate, helped establish "a custom and hence a standard of international law". It also unequivocally places chemical and bacteriological (biological) weapons in a class of weapons of mass destruction underlining the high urgency of taking further steps that would ultimately lead to their complete elimination from military arsenals.

IV. Poland considers, therefore, that the report of the Secretary-General on chemical and bacteriological (biological) weapons and the effects of their possible use can serve as a suitable basis for further deliberations in this Committee concerning these weapons.

To our mind the starting point in this regard should be to work to strengthen the existing international juridical norms banning the use of these weapons in warfare and which, as we know, are contained in the Geneva Protocol of 1925. Bearing in mind that not all States have as yet acceded to the Protocol, it becomes imperative to ensure universal applicability of the Protocol's prohibitions and their strict observance.

The Polish delegation wishes to propose, therefore, that the Eighteen-Nation Committee on Disarmament, in its report to the General Assembly, should underline the importance and significance of the report of the Secretary-General, recommending its further consideration particularly in the light of the guidelines contained in the Secretary-General's foreword where U Thant urges the Members of the United Nations:

"1. To renew the appeal to all States to accede to the Geneva Protocol of 1925;

2. To make a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents (including tear gas and other harassing agents), which now exist or which may be developed in the future;

DEPOSITORY

3. To call upon all countries to reach agreement to halt the development, production and stockpiling of all chemical and bacteriological (biological) agents for the purposes of war and to achieve their effective elimination from the arsenals of weapons."

As in the past, Poland is ready to co-operate, both in this Committee, in the General Assembly and in other international organizations, with all States to ensure strict observance of the prohibition of use of chemical and bacteriological (biological) weapons and to make a sustained effort to achieve a complete elimination of those weapons from the armouries of States.